

# December 16, 2013

**Present:** Mr. Fitzherbert, Mr. Solley, Mr. Werkhoven, Mr. Averill, Mr. Reich

**Alternates Present:** Mr. Sivick, Alt., Mr. Sorce

**Absent:** Mr. Wyant, Alt.

**Staff Present:** Ms. White, Ms. Hill

**Others Present:** Mr. & Mrs. Carreira, Mr. Talbot, Architect, Ms. Federer, Residents

Mr. Solley called the meeting to order at 7:32 p.m.

## **PUBLIC HEARINGS**

Seated: Mr. Solley, Mr. Fitzherbert, Mr. Werkhoven, Mr. Averill, Mr. Reich

Carreira/19 New Preston Hill Road/Special Permit: Section 12.6.1.c – General Home Occupation for Law Office:

Ms. Hill stated that the applicant has submitted all necessary paperwork to the Land Use Office.

Mr. & Mrs. Carreira, homeowners, were present to present this application. Mr. Carreira stated that he is requesting to set up his law office in the ground/basement level of their recently renovated home. He noted that they increased the ceiling height of the basement level as part of their home renovation and was able to create an office space at that level. Mr. Carreira informed the commissioners that he practices construction litigation, has very little client visitation and would have five visits a month, at most, which would be a rare occurrence.

Mr. Carreira submitted photographs of their renovated house, proposed outdoor lighting for the office entrance and the parking/driveway area (on file in the Land Use Office).

The commissioners looked at the photographs and asked if there would be a sign indicating the law office.

Mr. Carreira responded that there would not be a sign.

The commissioners discussed the proposed lighting. They reviewed the zoning regulations regarding outdoor lighting and verified that the proposed lighting meets the requirements.

Mr. Duncan, adjoining neighbor, was present and stated that he supported Mr. Carreira's request for a home-based law office.

There were no more comments or questions.

Motion:

to close the Public Hearing for the request of Carreira at 19 New Preston Hill Road for a Special Permit: Section 12.6.1.c – General Home Occupation for Law Office, by Mr. Averill, seconded by Mr. Reich, passed by 5-0 vote.

EIS Realty, LLC./4 Green Hill Road/Special Permit: Section 13.13 – Housing in the Business Districts for One-Bedroom Apartment:

Mr. Talbot, Architect, was present to represent EIS Realty, LLC for this application. Ms. Hill confirmed that they submitted a revision for the parking on December 5th, 2013 as part of the documentation for this file. Mr. Talbot submitted 2 drawings titled “Key Floor Plans” & “Floor & Plan Sections” Sheets DOB.101 & DOB.102, by Peter Talbot Architects with revision date of November 25, 2013

Mr. Talbot stated that his client is proposing a one-bedroom apartment, which will have its own entrance, meter, circuit breakers and air conditioning unit. He informed the commissioners that they have a designated parking space at the Iron Bank property, which is also owned by his client.

The commissioners looked at the tax map and an aerial photograph indicating the proposed apartment location and dedicated parking location, dated December 5, 2013 (on file the Land Use Office).

Mr. Talbot noted that the dedicated parking space would be approximately 200 feet away from the entrance of the proposed apartment. He stated that this proposed plan has received approval from the Health Department and a letter of support from the Planning Commission, which is in the file.

The commissioners and Mr. Talbot briefly discussed the septic system and designated parking for this property.

Ms. Federer asked if the Zoning Commission was considering extending its purview of residential purposes within the business districts.

There was a brief discussion about extending the business districts and promoting housing in these designated areas. Mr. Solley stated that the Zoning Commission would have further discussions about the zoning regulations and housing in the business districts.

Ms. Federer stated that she supports the proposed apartment at 4 Green Hill.

The commissioners discussed designated parking for the proposed apartment and possible conditions if this Special Permit is granted.

There were no further questions or comments.

Motion:

to close the Public Hearing to for the request of EIS Realty, LLC at 4 Green Hill Road for a Special Permit: Section 13.13 – Housing in the Business Districts for One-Bedroom apartment, by Mr. Reich, seconded by Mr. Fitzherbert, passed by 5-0 vote

## **REGULAR MEETING**

### **Consideration of the Minutes**

The Commission considered the November 25, 2013 Regular Meeting Minutes of the Town of Washington Zoning Commission.

Motion:

to accept the Zoning Meeting Minutes of November 25, 2013 as submitted, by Mr. Werkhoven, seconded by Mr. Fitzherbert, passed by 4-1 vote.

Mr. Reich abstained from voting because he was not at the last meeting.

### **Pending Application(s)**

Carreira/19 New Preston Hill Road/Special Permit: Section 12.6.1.c – General Home Occupation for Law Office:

Mr. Averill stated that he thinks that this is the kind of business that the regulations encourage and he supports this request for a Special Permit.

Mr. Solley noted that a Special Permit for General Home Occupation is valid for two years.

There were no further comments.

Motion:

to approve the Special Permit, Section 12.6.1.c - General Home Occupation for a Law Office 19 New Preston Hill Road for Carreira per drawings titled "Proposed Foundation Plan and Proposed First Floor", prepared for Mr. & Mrs. Randall Carreira by Roger Provey, sheets A-02, A-03, dated 7-20-12 and all other pertinent documents in the file,  
by Mr. Averill, seconded by Mr. Solley, passed by 5-0 vote.

EIS Realty, LLC./4 Green Hill Road/Special Permit: Section 13.13 – Housing in the Business Districts for One-Bedroom Apartment:

The commissioners considered this application and agreed that housing in the business district is beneficial for the Depot.

There were no further questions or comments.

Motion:

to approve the Special Permit, Section 13.13 – Housing in the Business Districts for a One-Bedroom Apartment at 4 Green Hill Road for EIS Realty, LLC. per drawings titled "Key Floor Plans" & "Floor & Plan Sections" Sheets DOB.101 & DOB.102, by Peter Talbot Architects with revision date of November 25, 2013 and all other pertinent documents in the file,  
by Mr. Solley, seconded by Mr. Averill, passed by 5-0 vote.

### **New Application(s)**

There were no new applications to discuss.

### **Other Business**

2014 Zoning Commission Meeting Calendar: The Commission considered the 2014 Zoning Commission Meeting Calendar.

Motion:

to approve the Zoning Commission Meeting Calendar of 2014 as submitted, by Mr. Reich, seconded by Mr. Averill, passed unanimously.

Mr. Fitzherbert asked about the open Secretary position for the Zoning Commission.

### **Subsequent Business:**

Motion:

to add subsequent business for the nomination of Secretary of the Zoning Commission, by Mr. Solley, seconded by Mr. Averill, passed unanimously.

### Nomination of Secretary of the Zoning Commission:

Mr. Reich nominated Mr. Averill for Secretary.

There were no other nominations.

Motion:

to cease nominations, by Mr. Fitzherbert, seconded by Mr. Solley, passed unanimously.

Motion:

to approve Mr. Averill as the Secretary of the Zoning Commission, passed unanimously.

### **Enforcement**

#### Enforcement Report:

The Commission considered the Zoning Enforcement Report dated 12-16-2013 (on file in the Land Use Office).

There was a brief discussion regarding timing of enforcement action.

The commissioners feel they need input from Mr. Ajello, ZEO. Mr. Solley stated he would talk to Mr. Bedini, Chairman of Inland/Wetlands Commission.

### **Privilege of the Floor**

There was no one present from the public at this time.

### **Adjournment**

Motion:

to adjourn at 8:45 pm. by Mr. Werkhoven, seconded by Mr. Averill.

Mr. Solley adjourned the meeting.

SUBMITTED SUBJECT TO APPROVAL:

Shelley White, Land Use Clerk

